

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

U.S. Ethernet Innovations, LLC, )  
                                      )  
                                    )  
Plaintiff,                     )  
                                    ) Civil Action File  
vs.                             )  
                                    ) No. 6:09-cv-448-LED  
                                   )  
Acer, Inc.; Acer America Corporation; Apple, )  
Inc.; ASUS Computer International; ASUSTeK )  
Computer Inc.; Dell Inc.; Fujitsu Ltd.; Fujitsu )  
America, Inc.; Gateway, Inc.; Hewlett Packard )  
Co.; HP Development Company LLC; Sony )  
Corporation; Sony Corporation of America; )  
Sony Electronics Inc.; Toshiba Corporation; )  
Toshiba America, Inc.; and Toshiba America )  
Information Systems, Inc.,       )  
                                   )  
Defendants.                     )  
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                                   )

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**PLAINTIFF U.S. ETHERNET INNOVATIONS, LLC'S RESPONSE TO INTEL  
CORPORATION'S SECOND NOTICE OF SUPPLEMENTAL AUTHORITY IN  
SUPPORT OF ITS MOTION TO INTERVENE**

In support of its Motion to Intervene, non-party Intel Corporation (“Intel”) has now filed a brief, a reply brief, a notice of supplemental authority, and a second notice of supplemental authority. Notwithstanding these serial filings, Intel has yet to produce a single Indemnification Agreement, despite its prior agreement to provide them to Plaintiff U.S. Ethernet Innovations, LLC (“USEI”) several weeks ago. In addition, while NVIDIA Corporation has stated that its proposed intervention will not impact the current deadlines in the Docket Control Order, Intel has made no such statements in any of its many filings. The absence of such a statement is

telling and raises concerns that Intel may be seeking to delay this action through its intervention. For these reasons and those set forth in USEI's prior filings, USEI respectfully requests that the Court deny Intel's motion to intervene, or, in the alternative, defer a decision on the motion until such time as Intel has established standing to intervene in this action.

Respectfully submitted, this 8th day of April, 2010.

COUGHLIN STOIA GELLER RUDMAN &  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 8, 2010, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record.

/s/ Ryan K. Walsh